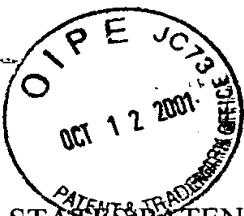


DOCKET NO: 197261US-2



RECEIVED

OCT 16 2001

TECHNOLOGY CENTER 2600

IN RE APPLICATION OF

Shusuke KAYA, et al. : EXAMINER: Harmon, C.

SERIAL NO: 09/662,704 :

FILED: September 15, 2000 : GROUP ART UNIT: 2881

FOR: SEMICONDUCTOR LASER DEVICE

#6/*Request
for
Reconsideration
10/18/01
JG*

REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Office Action dated July 18, 2001, and in view of the following remarks, the Applicants respectfully solicit a Notice of Allowance.

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-17 are presently pending in this application. Claims 1-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hashimoto et al. (U.S. Patent No. 6,067,310).

Regarding the rejection of claims 1-8 and 17 under 35 U.S.C. § 102(b), the Applicants respectfully request reconsideration as a *prima facie* case of anticipation has not been established. To establish a *prima facie* case of anticipation under 35 U.S.C. § 102, a single prior art reference must describe each and every element as set forth in the subject claim.

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is